

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

DAVID DAVIS,)
)
 Plaintiff,)
)
 v.) CIVIL ACTION NO. 3:06cv544-WHA
)
 PHENIX CITY, ALABAMA, et al.,)
)
 Defendants.)

ORDER ON MOTION

On 23 January 2007, Plaintiff filed a Motion to Compel Defendants to Provide More Adequate Discovery Responses (Doc. #21, #22) and requested reasonable attorneys fees for the preparation of this motion. In Defendants' response, Defendants maintain that Plaintiff's requests for documents contained in the Initial Disclosures and all documents responsive to Plaintiff's First Request for Production of Documents were provided to Plaintiff on 26 January 2007, three days after the instant motion was filed. Accordingly, it is

ORDERED that Plaintiff's motion is MOOT. The Court therefore DENIES Plaintiff's motion to compel and Plaintiff's request for attorneys fees without prejudice.

DONE this 6th day of February, 2007.

/s/ Wallace Capel, Jr.
WALLACE CAPEL, JR.
UNITED STATES MAGISTRATE JUDGE